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**IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT
BILASPUR**

W.P.NO. 1936/2001

Petitioner

✓ Brij Jeevan Rai S/o Shri R.B.Rai, aged
about 37 years, Proprietor Hospital Gouri,
Supela Bhilai, Dist : Durg - (C.G.)

Versus

Respondents

1. ✓ District Excise Officer, Durg, Dist : Durg
2. Collector, Durg
3. State of Chhattisgarh through Secretary
Excise Department, D.K.S.Bhawan, Raipur.

P. R. No. 2118/01
Presented by Shri S. Verma
dated 6.11.97

**WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION
OF INDIA**

आदेश पत्रक

सं. P. 1936/2001

Single Bench

18

मामला क्रमांक

Brij Teeran

सं. 200

विरुद्ध

District Excise Officer.

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>18.10.2001</u> Heard Shri P. Diwakar, learned counsel for the petitioner. Shri Gautam Bhaduri, learned Government Advocate for the respondents. The writ petitioner is impugning order of cancella- tion of liquor licence issued by the District Excise Officer, Durg on 29.9.2001. Shri P. Diwakar submits that the impugned order aforesaid was issued without giving any opportunity of defending himself. Shri Gautam Bhaduri fairly submits that it will be justifiable to allow an opportunity to the writ petitioner to defend himself by leading evidence or by	2.10.01 <i>Handwritten:</i> I.A. proceeding submitted presented counsel for Non appeal before Judge for order. <i>The petition drawn-up, due necessary de ced before a Let record of will be</i>

आदेश पत्रक (पुर्बानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	(Contd. order dated 18.10.01 taking such steps as deemed fit by him in the matter before the Competent Auth- ority. In the result, this petition is allowed. The impugned order dated 29.9.2001 is set aside. The District Excise Officer, Durg shall give the writ petitioner every opportunity in the matter and decide the matter afresh on merit. Let the petitioner appear before the Competent Auth- ority Respondent No.1 on 3rd November, 2001 with a copy of this Order. I consider it fair to say that the petitioner shall be allowed to continue in his business without any hindrance until the entire matter is decided. Certified copy as per rules.	
ss/-	Sd/- Chief Justice	

GRPRJ-FS/311-1/2001-50,000.

Cy No
18/10-23/10